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EXHIBIT "F"

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

IN RE INCRETIN-BASED THERAPIES PRODUCTS LIABILITY LITIGATION As to All Related and Member Cases	MDL No. 2452 Magistrate: Mitchell D. Dembin Judge: Anthony J. Battaglia **DEFENDANT ELI LILLY AND COMPANY'S OBJECTIONS AND RESPONSES TO PLAINTIFFS' SECOND SET OF REQUESTS TO PRODUCE**

PROPOUNDING PARTY: Plaintiff

RESPONDING PARTY: Defendant Eli Lilly and Company

SET NUMBER: Second

Pursuant to Rule 34 of the Federal Rules of Civil Procedure, defendant Eli Lilly and Company ("Lilly") hereby responds and objects to the Second Set of Requests for Production of Documents and Tangible Things (the "Requests") propounded by Plaintiffs as follows:

PREFACE

1. Lilly objects to each of these requests as unreasonably burdensome in number, duplicative and cumulative of previously served requests, and exceeding the limitations of Rule 26(b)(2). Plaintiffs have now served 114 interrogatories and 269 requests for production on Lilly (many of which contain multiple discrete subparts). Plaintiffs have refused to agree to any reasonable limits on the number of written discovery requests they may serve, and have advised Lilly and the other defendants in this MDL that they plan to serve still more interrogatories and requests for production. Lilly has already responded to 54 interrogatories and 85 requests for production, and has produced millions of pages of documents and provided deposition testimony containing information responsive to Plaintiffs' requests. Lilly has advised Plaintiffs of its objections to the number of written discovery requests served, and requests a further meet and confer with Plaintiffs regarding reasonable limits on the total number of interrogatories and requests for production. Lilly therefore serves the following objections until the parties are able to reach agreement on reasonable limits on written discovery, and/or the Court is able to address the matter.

2. Lilly objects to Plaintiffs' "Definitions and Instructions" to the extent they purport to impose any obligation on Lilly beyond the obligations imposed by Rule 33 of the Federal Rules of Civil Procedure, or to alter the commonly understood meaning of words or phrases.

3. All references to "Byetta" within Lilly's responses shall refer to the twice daily injectable form of Byetta that was first approved by the FDA as safe and effective on April 28, 2005.

4. All references to "Exenatide" (also known as "exendin-4") shall refer to the 39-amino acid synthetic peptide that was originally identified in the lizard *Heloderma suspectum* and is the active ingredient in Byetta.

5. Lilly co-promoted Byetta with Amylin pursuant to a collaboration agreement in effect from September 2002 until November 2011. Lilly objects to each request as overbroad to the extent it seeks information from time periods not relevant to its co-promotion of Byetta.

6. Lilly objects to each of Plaintiffs' requests to the extent it seeks information protected by the attorney-client privilege and/or attorney work product doctrine, and will withhold such information.

7. Lilly objects to each of Plaintiffs' requests to the extent it seeks information protected by HIPAA or other patient confidentiality laws or privileges.

8. Lilly objects to each of Plaintiffs' requests to the extent it seeks confidential commercial information.

OBJECTIONS AND RESPONSES

REQUEST NO. 1:

Produce in electronic format complete copies of all Databases that YOU use(d) to track, trend, or record information regarding any ADVERSE EVENT that YOU associated with BYETTA, and attach source and other related documentation. This request includes, to the extent that the databases incorporate this information, any and all information regarding the nature and type of ADVERSE EVENTS; when they were received by YOU; what action YOU took in response to the ADVERSE EVENTS; who YOU contacted or communicated with regarding the ADVERSE EVENTS; any follow-up efforts or investigation YOU made to obtain further information regarding the ADVERSE EVENTS; if and when YOU and the Food and Drug Administration ("FDA") communicated regarding the ADVERSE EVENTS; whether the ADVERSE EVENT was in the form of a Medwatch Report, communication from a medical provider or consumer, an ADVERSE EVENT REPORT ("AER") or other form; what YOUR conclusions were as to each ADVERSE EVENT; and the current status or final disposition of the ADVERSE EVENT or REPORTABLE EVENT.

RESPONSE:

Lilly objects to this request as duplicative and cumulative of Plaintiffs' prior written discovery, and as exceeding the limitations of Rule 26. To date, Plaintiffs have served 269 requests for production (many of which contain multiple discrete subparts) on Lilly. Plaintiffs have refused to agree to any limits on the number of requests for production or other written discovery. Lilly therefore objects to answering this request until the parties are able to agree on reasonable limits, or the Court has an opportunity to address this issue. After this dispute is resolved, Lilly anticipates serving amended objections and responses to this request, or other discovery requests that Plaintiffs may serve in its place, consistent

with any agreement reached with Plaintiffs during the meet and confer process, or as directed by the Court.

Lilly further objects to this request as overly broad, unduly burdensome, and not reasonably calculated to lead to discovery of admissible evidence, including to the extent it seeks information about adverse events unrelated to the conditions at issue in this litigation, and to the extent it seeks information from Lilly that is more readily available from Amylin, in light of the termination of Lilly's collaboration agreement to co-promote Byetta with Amylin. Lilly objects to this request to the extent it seeks confidential patient or reporter information. Lilly also objects to this request to the extent it seeks information protected by the attorney-client privilege or work product doctrine.

Without waiving the foregoing objections, Lilly responds that its JCCP Production available to Plaintiffs includes a production of adverse drug reaction ("ADR") reports from the Lilly Safety System ("LSS") in an electronic database format. *See* LILLY00250453. Lilly further responds that information regarding consumers in each reporting period for whom Lilly or Amylin received a report of an alleged Byetta® associated adverse event can be found under Section 3 of the Periodic Adverse Drug Experience Reports (PADERs) and Section 6 of the Periodic Safety Update Reports (PSURs) within the Byetta® IND and NDA.

REQUEST NO. 2:

Produce copies of each file that YOU established and maintained in response to each individual ADVERSE EVENT (commonly known as Adverse Event Report event files, source files, backup files, or any other files containing source documentation related to ADVERSE EVENTS) for BYETTA, including all DOCUMENTS and ESI contained therein EVIDENCING or RELATING to any and all information in YOUR possession, or references to information in YOUR possession related to the underlying ADVERSE EVENT, including what attempts, if any, YOU made to communicate with anyone, including, but not limited to health

care providers, consumers, sales reps or person/entity who reported the AER, to gather further information regarding the ADVERSE EVENT, any analysis, investigation, internal communications, follow-up efforts, or evaluation YOU conducted, YOUR deliberations and decision-making processes used to determine whether the ADVERSE EVENT was or was not a REPORTABLE EVENT, related or unrelated, listed or not listed, associated or caused by BYETTA; any investigations YOU conducted to determine the cause of the event, and copies of all ADVERSE EVENT forms, including supplemental reports, MedWatch Reports, and other information submitted to the Food and Drug Administration.

RESPONSE:

Lilly objects to this request as duplicative and cumulative of Plaintiffs' prior written discovery, and as exceeding the limitations of Rule 26. To date, Plaintiffs have served 269 requests for production (many of which contain multiple discrete subparts) on Lilly. Plaintiffs have refused to agree to any limits on the number of requests for production or other written discovery. Lilly therefore objects to answering this request until the parties are able to agree on reasonable limits, or the Court has an opportunity to address this issue. After this dispute is resolved, Lilly anticipates serving amended objections and responses to this request, or other discovery requests that Plaintiffs may serve in its place, consistent with any agreement reached with Plaintiffs during the meet and confer process, or as directed by the Court.

Lilly further objects to this request as overly broad, unduly burdensome, and not reasonably calculated to lead to discovery of admissible evidence, including on the ground that the terms "all documents," "any and all information in your possession " and "references to information in your possession" are overbroad; to the extent it seeks information about reported adverse events unrelated to the conditions at issue in this litigation; and to the extent it seeks discovery from Lilly that is more readily available from Amylin, in light of the

termination of Lilly's collaboration agreement to co-promote Byetta with Amylin. Lilly objects to this request to the extent it seeks confidential patient or reporter information. Lilly also objects to this request to the extent it seeks information protected by the attorney-client privilege or work product doctrine.

Without waiving the foregoing objections, Lilly responds that its JCCP Production available to Plaintiffs includes a production of adverse drug reaction ("ADR") reports from the Lilly Safety System ("LSS") in an electronic database format. *See* LILLY00250453. Lilly further responds that information regarding consumers in each reporting period for whom Lilly or Amylin received a report of an alleged Byetta® associated adverse event can be found under Section 3 of the Periodic Adverse Drug Experience Reports (PADERs) and Section 6 of the Periodic Safety Update Reports (PSURs) within the Byetta® IND and NDA.

REQUEST NO. 3:

To the extent not produced in response to the preceding request for production, produce all DOCUMENTS AND ESI EVIDENCING and/or RELATING to the following: any and all ADVERSE EVENTS YOU became aware of for BYETTA, including what the ADVERSE EVENTS consisted of, and when they were received b) YOU; what action YOU took, if any, in response to each ADVERSE EVENT regarding BYETTA including any attempts to obtain further information from the health care providers who treated the person whom was allegedly injured by the drug; and communications YOU made or received regarding each ADVERSE EVENT for BYETTA, including internal communications; the results of any investigations regarding each ADVERSE EVENT for BYETTA and/or the basis for the decision to not investigate; and what YOUR conclusions were as to each ADVERSE EVENT; and the current status or final disposition of the ADVERSE EVENT.

RESPONSE:

Lilly objects to this request as cumulative and duplicative of preceding requests. Without waiving the foregoing objections, see Lilly's objections and response to Request Nos. 1 and 2 above, which are incorporated as if fully set forth here.

REQUEST NO. 4:

Produce all DOCUMENTS AND ESI EVIDENCING or RELATING to any ADVERSE EVENTS YOU received related to any PLAINTIFF in this matter, including all DOCUMENTS and ESI EVIDENCING or RELATING to what the ADVERSE EVENT consisted of; when it was received by YOU; what action YOU took in response to the ADVERSE EVENT; any and all communications YOU made or received regarding the ADVERSE EVENT, including internal communications; any follow-up efforts YOU made to obtain further information regarding the ADVERSE EVENT; whether and on what basis YOU decided to not investigate; whether the ADVERSE EVENT was in the form of a Medwatch Report, communication from a medical provider or consumer, an Adverse Event Report or other form; what YOUR conclusions were as to the ADVERSE EVENT; and the current status or final disposition of the ADVERSE EVENT.

RESPONSE:

Lilly objects to this request as cumulative and duplicative of preceding requests. Without waiving the foregoing objections, see Lilly's objections and response to Request Nos. 1 and 2 above, which are incorporated as if fully set forth here. Lilly further objects to this request to the extent it seeks information to be provided through the Defendants' Fact Sheet procedure.

REQUEST NO. 5:

To the extent not produced in response to the preceding request for production, produce all DOCUMENTS AND ESI EVIDENCING or RELATING

to the following information for each individual REPORTABLE EVENT for BYETTA:

a. any information in YOUR possession or references to information in YOUR possession related to the REPORTABLE EVENT;

b. any attempts YOU made to communicate with anyone to gather further information regarding the ADVERSE EVENT;

c. any communications YOU made or received, including internal communications, regarding the REPORTABLE EVENT;

d. YOUR deliberations and decision-making processes used to determine whether the ADVERSE EVENT was or was not a REPORTABLE EVENT;

e. any investigations YOU conducted to determine the cause of the event;

f. any action YOU took as a result of the REPORTABLE EVENT to prevent recurrence of the REPORTABLE EVENT;

g. experts and/or consultants whom YOU contacted regarding the ADVERSE EVENT;

h. copies of all adverse event report forms, including supplemental reports, and other information submitted to the FDA;

i. analysis of nature, severity and frequency of the ADVERSE EVENT;

j. reporting rates analysis and trending of the ADVERSE EVENT.

RESPONSE:

Lilly objects to this request as cumulative and duplicative of preceding requests. Without waiving the foregoing objections, see Lilly's objections and response to Request Nos. 1, 2 and 4 above, which are incorporated as if fully set forth here.

REQUEST NO. 6:

Produce all DOCUMENTS AND ESI EVIDENCING or RELATING to any request by the Food and Drug Administration for YOU to conduct post-market surveillance of BYETTA; and any plans, reports, or other information YOU submitted to the Food and Drug Administration in response.

RESPONSE:

Lilly objects to this request as duplicative and cumulative of Plaintiffs' prior written discovery, and as exceeding the limitations of Rule 26. To date, Plaintiffs have served 269 requests for production (many of which contain multiple discrete subparts) on Lilly. Plaintiffs have refused to agree to any limits on the number of requests for production or other written discovery. Lilly therefore objects to answering this request until the parties are able to agree on reasonable limits, or the Court has an opportunity to address this issue. After this dispute is resolved, Lilly anticipates serving amended objections and responses to this request, or other discovery requests that Plaintiffs may serve in its place, consistent with any agreement reached with Plaintiffs during the meet and confer process, or as directed by the Court.

Lilly further objects to this request on the ground that the terms "all documents and ESI" and "any request" are overly broad and unduly burdensome. Lilly objects to this request as not reasonably calculated to lead to discovery of admissible evidence to the extent it seeks information about documents unrelated to the conditions at issue in this litigation. Lilly objects to this request to the extent it seeks confidential patient or reporter information. Lilly also objects to this request to the extent it seeks information protected by the attorney-client privilege or work product doctrine.

Without waiving the foregoing objections, Lilly responds that both the IND and NDA for Byetta® were submitted to the FDA, and further directs Plaintiff

to BY00390802-BY00403814 and BY00416353-BY00426172, which contain communications with the FDA.

REQUEST NO. 7:

Produce all DOCUMENTS AND ESI EVIDENCING or referring to any and all data analysis or trends of adverse events that were reported to, or conducted by, YOU regarding BYETTA, including any studies, research or documents prepared to reflect any analysis or trend.

RESPONSE:

Lilly objects to this request as duplicative and cumulative of Plaintiffs' prior written discovery, and as exceeding the limitations of Rule 26. To date, Plaintiffs have served 269 requests for production (many of which contain multiple discrete subparts) on Lilly. Plaintiffs have refused to agree to any limits on the number of requests for production or other written discovery. Lilly therefore objects to answering this request until the parties are able to agree on reasonable limits, or the Court has an opportunity to address this issue. After this dispute is resolved, Lilly anticipates serving amended objections and responses to this request, or other discovery requests that Plaintiffs may serve in its place, consistent with any agreement reached with Plaintiffs during the meet and confer process, or as directed by the Court.

Lilly further objects to this request on the ground that the terms "all documents and ESI" and "any and all data analysis or trends" are overly broad and unduly burdensome. Lilly objects to this request as not reasonably calculated to lead to discovery of admissible evidence to the extent it seeks information about documents unrelated to the conditions at issue in this litigation. Lilly objects to this request to the extent it seeks confidential patient or reporter information. Lilly also objects to this request to the extent it seeks information protected by the attorney-client privilege or work product doctrine.

REQUEST NO. 8:

Produce all DOCUMENTS AND ESI EVIDENCING or referring to any and all written policies, procedures or standard operating procedures YOU had in place at the time YOU first began to market or distribute BYETTA regarding receiving, reviewing, investigating, evaluating, and/or documenting ADVERSE EVENTS YOU received for drugs that YOU marketed or distributed, including BYETTA. This includes for example, any questionnaires or follow-up procedure YOU developed to deal with specific types of injuries related to BYETTA such as, but not limited to, pancreatitis, pancreatic and thyroid cancers.

RESPONSE:

Lilly objects to this request as duplicative and cumulative of Plaintiffs' prior written discovery, and as exceeding the limitations of Rule 26. To date, Plaintiffs have served 269 requests for production (many of which contain multiple discrete subparts) on Lilly. Plaintiffs have refused to agree to any limits on the number of requests for production or other written discovery. Lilly therefore objects to answering this request until the parties are able to agree on reasonable limits, or the Court has an opportunity to address this issue. After this dispute is resolved, Lilly anticipates serving amended objections and responses to this request, or other discovery requests that Plaintiffs may serve in its place, consistent with any agreement reached with Plaintiffs during the meet and confer process, or as directed by the Court.

Lilly further objects to this request on the ground that the terms "all documents and ESI," "all written policies, procedures, or standard operating procedures" are overly broad and unduly burdensome. Lilly has had numerous policies and procedures over the period at issue that relate, to varying degrees, to the collection, processing and reporting of adverse event reports for Byetta®, many of which have at best only marginal relevance to the disputed issues in this litigation and for which the burden of identification, collection and production

would outweigh any benefit. Lilly objects to this request as misdirected to it to the extent it seeks materials regarding activities not performed by Lilly following the termination of its collaboration agreement with Amylin in November 2011. Lilly further objects to this request to the extent it seeks information protected by the attorney-client privilege or work product doctrine.

Without waiving the foregoing objections, Lilly directs Plaintiff to the procedures at LILLY00000214-LILLY00000463.

REQUEST NO. 9:

Produce all DOCUMENTS AND ESI EVIDENCING any and all written policies, procedures, or standard operating procedures YOU had in place during the entire period of time since BYETTA was first marketed anywhere regarding the timely identification, communication, investigation, and evaluation of ADVERSE EVENTS that may constitute REPORTABLE EVENTS; the review process for determining when an ADVERSE EVENT meets the criteria for being a REPORTABLE EVENT; the documentation and recordkeeping requirements for information YOU evaluated to determine whether ADVERSE EVENTS YOU received constituted REPORTABLE EVENTS, the documentation and recordkeeping requirements for all REPORTABLE EVENTS and information related thereto actually submitted to the FDA; and the documentation and recordkeeping requirements regarding any information that was evaluated for the purpose of preparing the submission of annual reports, PADERs and PSURs.

RESPONSE:

Lilly objects to this request as duplicative and cumulative of Plaintiffs' prior written discovery, and as exceeding the limitations of Rule 26. To date, Plaintiffs have served 269 requests for production (many of which contain multiple discrete subparts) on Lilly. Plaintiffs have refused to agree to any limits on the number of requests for production or other written discovery. Lilly therefore

objects to answering this request until the parties are able to agree on reasonable limits, or the Court has an opportunity to address this issue. After this dispute is resolved; Lilly anticipates serving amended objections and responses to this request, or other discovery requests that Plaintiffs may serve in its place, consistent with any agreement reached with Plaintiffs during the meet and confer process, or as directed by the Court.

Lilly further objects to this request on the ground that the terms "all documents and ESI" and "all written policies" are overly broad and unduly burdensome. Lilly has had numerous policies and procedures over the period at issue that relate, to varying degrees, to the collection, processing and reporting of adverse event reports for Byetta®, many of which have at best only marginal relevance to the disputed issues in this litigation and for which the burden of identification, collection and production would outweigh any benefit. Lilly objects to this request as misdirected to it to the extent it seeks materials regarding activities not performed by Lilly following the termination of its collaboration agreement with Amylin in November 2011. Lilly objects to this request to the extent that it seeks documents that pertain solely to locations outside the United States. Lilly objects to this request to the extent it seeks information protected by the attorney-client privilege or work product doctrine.

Without waiving the foregoing objections, Lilly directs Plaintiffs to the procedures at LILLY00000214-LILLY00000463.

REQUEST NO. 10:

Produce all DOCUMENTS AND ESI EVIDENCING or RELATING to any and/or all changes or additions YOU made to the procedures and standards identified in the preceding request for production from January 2003 through the present.

RESPONSE:

Lilly objects to this request as duplicative and cumulative of Plaintiffs' prior written discovery, and as exceeding the limitations of Rule 26. To date, Plaintiffs have served 269 requests for production (many of which contain multiple discrete subparts) on Lilly. Plaintiffs have refused to agree to any limits on the number of requests for production or other written discovery. Lilly therefore objects to answering this request until the parties are able to agree on reasonable limits, or the Court has an opportunity to address this issue. After this dispute is resolved, Lilly anticipates serving amended objections and responses to this request, or other discovery requests that Plaintiffs may serve in its place, consistent with any agreement reached with Plaintiffs during the meet and confer process, or as directed by the Court.

Lilly further objects to this request on the ground that the terms "all documents and ESI" and "any and/or all changes or additions" are overly broad and unduly burdensome. Lilly has had numerous policies and procedures over the period at issue that relate, to varying degrees, to the collection, processing and reporting of adverse event reports for Byetta®, many of which have at best only marginal relevance to the disputed issues in this litigation and for which the burden of identification, collection and production would outweigh any benefit. Lilly objects to this request as misdirected to it to the extent it seeks materials regarding activities not performed by Lilly following the termination of its collaboration agreement with Amylin in November 2011. Lilly objects to this request to the extent it seeks information protected by the attorney-client privilege or work product doctrine.

Without waiving the foregoing objections, Lilly directs Plaintiffs to the procedures at LILLY00000214-LILLY00000463.

REQUEST NO. 11:

To the extent not already produced, produce all DOCUMENTS AND ESI EVIDENCING or referring to any information provided to any of YOUR employees or agents who were responsible for following up with or communicating with health care providers regarding adverse events associated with BYETTA regarding the following: the potential for BYETTA to cause pancreatitis, pancreatic and/or thyroid cancer, any information that these persons were to communicate to and/or obtain from the health care provider(s), and any training materials, scripts, questionnaires, and instructions that were to guide interactions with health care providers regarding adverse events for BYETTA.

RESPONSE:

Lilly objects to this request as duplicative and cumulative of Plaintiffs' prior written discovery, and as exceeding the limitations of Rule 26. To date, Plaintiffs have served 269 requests for production (many of which contain multiple discrete subparts) on Lilly. Plaintiffs have refused to agree to any limits on the number of requests for production or other written discovery. Lilly therefore objects to answering this request until the parties are able to agree on reasonable limits, or the Court has an opportunity to address this issue. After this dispute is resolved, Lilly anticipates serving amended objections and responses to this request, or other discovery requests that Plaintiffs may serve in its place, consistent with any agreement reached with Plaintiffs during the meet and confer process, or as directed by the Court.

Lilly further objects to this request on the ground that the terms "all documents and ESI," "any information," and "any of YOUR employees or agents" are overly broad and unduly burdensome. Lilly objects to this request to the extent it seeks confidential patient or reporter information. Lilly objects to this request as misdirected to it to the extent it seeks materials regarding activities not performed by Lilly following the termination of its collaboration agreement with Amylin in

November 2011. Lilly objects to this request to the extent it seeks information protected by the attorney-client privilege or work product doctrine. Lilly objects to this request as cumulative and duplicative of preceding requests.

Without waiving the foregoing objections, see Lilly's objections and response to Request Nos. 1 and 2 above, which are incorporated as if fully set forth here.

REQUEST NO. 12:

Produce all DOCUMENTS AND ESI EVIDENCING any and/or all written policies, procedures or standard operating procedures YOU had in place during the entire period of time since BYETTA was first marketed anywhere regarding establishing and maintaining files for each ADVERSE EVENT that would contain any and/or all information in YOUR possession or references to information in YOUR possession related to the underlying ADVERSE EVENT, including all documentation of YOUR deliberations and decision-making processes used to determine if a drug-related death, serious injury, or injury of special interest was or was not a REPORTABLE EVENT, and copies of all adverse event report forms and other information submitted to the FDA.

RESPONSE:

Lilly objects to this request as duplicative and cumulative of Plaintiffs' prior written discovery, and as exceeding the limitations of Rule 26. To date, Plaintiffs have served 269 requests for production (many of which contain multiple discrete subparts) on Lilly. Plaintiffs have refused to agree to any limits on the number of requests for production or other written discovery. Lilly therefore objects to answering this request until the parties are able to agree on reasonable limits, or the Court has an opportunity to address this issue. After this dispute is resolved, Lilly anticipates serving amended objections and responses to this request, or other discovery requests that Plaintiffs may serve in its place, consistent

with any agreement reached with Plaintiffs during the meet and confer process, or as directed by the Court. Lilly objects to this request as cumulative and duplicative of preceding requests.

Without waiving the foregoing objections, see Lilly's objections and response to Request Nos. 1, 2, 8, 9, and 10 above, which are incorporated as if fully set forth here.

REQUEST NO. 13:

Produce all DOCUMENTS AND ESI EVIDENCING or RELATING to any and/or all changes or additions YOU made to the procedures and standards identified in the preceding request for production during the entire period of time since BYETTA was first marketed anywhere.

RESPONSE:

Lilly objects to this request as duplicative and cumulative of Plaintiffs' prior written discovery, and as exceeding the limitations of Rule 26. To date, Plaintiffs have served 269 requests for production (many of which contain multiple discrete subparts) on Lilly. Plaintiffs have refused to agree to any limits on the number of requests for production or other written discovery. Lilly therefore objects to answering this request until the parties are able to agree on reasonable limits, or the Court has an opportunity to address this issue. After this dispute is resolved, Lilly anticipates serving amended objections and responses to this request, or other discovery requests that Plaintiffs may serve in its place, consistent with any agreement reached with Plaintiffs during the meet and confer process, or as directed by the Court. Lilly objects to this request as cumulative and duplicative of preceding requests.

Without waiving the foregoing objections, see Lilly's objections and response to Request Nos. 1, 2, 8, 9, and 10 above, which are incorporated as if fully set forth here.

REQUEST NO. 14:

Produce all DOCUMENTS AND ESI EVIDENCING or RELATING to communications and/or correspondence known as "Dear Doctor" or "Dear Healthcare Professional" letters prepared, generated, authored, and/or sent by YOU to health care professionals, including physicians, hospitals, pharmacies and clinics, in the United States and other countries, including any and all preliminary and final drafts of such letters, all minutes from company, departmental or directors meetings in which revisions or amendments to such communications and letters were discussed, as well as all editions or notations made by YOU, concerning BYETTA.

RESPONSE:

Lilly objects to this request as duplicative and cumulative of Plaintiffs' prior written discovery, and as exceeding the limitations of Rule 26. To date, Plaintiffs have served 269 requests for production (many of which contain multiple discrete subparts) on Lilly. Plaintiffs have refused to agree to any limits on the number of requests for production or other written discovery. Lilly therefore objects to answering this request until the parties are able to agree on reasonable limits, or the Court has an opportunity to address this issue. After this dispute is resolved, Lilly anticipates serving amended objections and responses to this request, or other discovery requests that Plaintiffs may serve in its place, consistent with any agreement reached with Plaintiffs during the meet and confer process, or as directed by the Court.

Lilly further objects to this request on the ground that the terms "all documents and ESI," "any and all preliminary and final drafts," "all minutes," and "all editions or notations" are overly broad and unduly burdensome. Lilly objects to this request as overbroad, unduly burdensome, and not reasonably calculated to lead to discovery of admissible evidence to the extent that it seeks information concerning "Dear Doctor" or "Dear Healthcare Provider Letters" disseminated to locations outside the United States, or seeks documents that were not seen by

Plaintiffs' prescribing physicians. Lilly further objects to this request on the ground that it seeks information protected by the attorney-client privilege and work product doctrine.

Without waiving the foregoing objections, Lilly responds that copies of letters it has sent to healthcare providers in the United Stated are contained in the Byetta® IND/NDA. Lilly further objects to this request to the extent it seeks information to be provided through the Defendants' Fact Sheet procedure.

REQUEST NO. 15:

Produce all DOCUMENTS AND ESI EVIDENCING or RELATING to the organization of any division, segment, or office of DEFENDANT that participates in the receipt, collection, evaluation, analysis, trending, and/or reporting of information to any regulatory agency regarding ADVERSE EVENTS regarding BYETTA.

RESPONSE:

Lilly objects to this request as duplicative and cumulative of Plaintiffs' prior written discovery, and as exceeding the limitations of Rule 26. To date, Plaintiffs have served 269 requests for production (many of which contain multiple discrete subparts) on Lilly. Plaintiffs have refused to agree to any limits on the number of requests for production or other written discovery. Lilly therefore objects to answering this request until the parties are able to agree on reasonable limits, or the Court has an opportunity to address this issue. After this dispute is resolved, Lilly anticipates serving amended objections and responses to this request, or other discovery requests that Plaintiffs may serve in its place, consistent with any agreement reached with Plaintiffs during the meet and confer process, or as directed by the Court.

Without waiving the foregoing objections, Lilly directs Plaintiff to its production of corporate organization charts at LILLY00000001-LILLY00000006.

REQUEST NO. 16:

Produce all DOCUMENTS AND ESI EVIDENCING or RELATING to entities with whom YOU contract regarding the collection, processing, evaluating, investigation, follow-up, analysis, reporting and/or publication of ADVERSE EVENTS for BYETTA including but not limited to Functional Service Providers, Contract Research Organizations, vendors, and/or consultants.

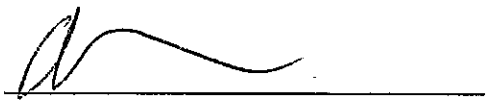
RESPONSE:

Lilly objects to this request as duplicative and cumulative of Plaintiffs' prior written discovery, and as exceeding the limitations of Rule 26. To date, Plaintiffs have served 269 requests for production (many of which contain multiple discrete subparts) on Lilly. Plaintiffs have refused to agree to any limits on the number of requests for production or other written discovery. Lilly therefore objects to answering this request until the parties are able to agree on reasonable limits, or the Court has an opportunity to address this issue. After this dispute is resolved, Lilly anticipates serving amended objections and responses to this request, or other discovery requests that Plaintiffs may serve in its place, consistent with any agreement reached with Plaintiffs during the meet and confer process, or as directed by the Court. Lilly further objects to this request as cumulative and duplicative of preceding requests.

Without waiving the foregoing objections, see Lilly's objections and response to Request Nos. 1, 2, 8, 9, and 10 above, which are incorporated as if fully set forth here.

DATED: January 16, 2014

PEPPER HAMILTON LLP

By: 

Allan A. Thoen
Attorney for Defendant
Eli Lilly and Company

DECLARATION OF SERVICE

I am over the age of eighteen years and not a party to the within action. I am a resident of or employed in the county where the service described below occurred. My business address is 3000 Two Logan Square, Philadelphia, PA 19103. I am familiar with this firm's practice for collection and processing of correspondence for mailing with the United States Postal service. In the ordinary course of business, correspondence collected from me would be processed on the same day, with postage thereon fully prepaid and placed for deposit that day with the United States Postal Service.

On January 16, 2014 I served the following:

Defendant Eli Lilly and Company's Objections and Responses to Plaintiffs' First Set of Requests to Produce

by putting a true and correct copy thereof in a sealed envelope, with postage fully prepaid, and placing the envelope for collection and mailing today with the United States Postal Service in accordance with the firm's ordinary business practice, and/or by electronic mail, addressed as follows:

Gayle M. Blatt
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I hereby certify that a copy of the above and foregoing has been mailed and/or sent by electronic mail to the following counsel of record for all of the actions that will be affected on January 16, 2014.

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